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EXAMINER

HEWITT II, CALVIN L

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3621

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Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental Examiner's Answer

(1) Status of Claims

The Examiner has selected claim 1 for analysis.

(2) Claim 1 (09/194051)

Claim 1 describes a computer comprising a clock for generating authentication data (a unique time generating device), transmitting the time data and registering and receiving authentication data where the authentication data is a combination of the original authentication data and other "additional" data that is unique to the subservient computer (register means).

(3) 5,933,625 Patent ('625 Patent)

The claims of the '625 Patent are dedicated to providing a time reference (preamble of claims 1 and 5) in computers. What does the inventor mean by "time reference in computers"? '625 patent is clear,

It is therefore an object of the present invention to provide a technique which is capable of setting a common or different time concept between a plurality of computers so as to achieve a smooth network communication between computers and to also allow the computers to reliably authenticate each other- '625, column 2, lines 50-56

'625 patent also teaches generating a time (i.e. authentication data) using a unique time generating device ('625, abstract; figure 1; claims 1 and 5) and transmitting data between computers ('625, claim 7).

(4) Claim 1 (09/194051) vs. 5,933,625 Patent ('625 Patent): "means for"

The USPTO must apply 35 U.S.C. 112, sixth paragraph in appropriate cases, and give claims their broadest reasonable interpretation, in light of and consistent with the written description of the invention in the application. See *Donaldson*, 16 F.3d at 1194, 29 USPQ2d at 1850 (stating that 35 U.S.C. 112, sixth paragraph "merely sets a limit on how broadly the PTO may construe means-plus-function language under the rubric of reasonable interpretation.").

The '625 patent teaches "time keeping means for". Specifically, the '625 patent teaches: unique time generating device including time keeping means (claim 1, limitations 1-3; figure 1) for sequentially outputting unit time values at predetermined intervals over a preset time-measuring period that begins at a given starting point on a selected date and terminates at a given future end point (claim 1, limitations 2 and 3; figures 1-10).

The '625 patent also teaches (claims 5 and 7): communicating (i.e. transmitting) data from a first computer (master computer) to a second computer connected to a device (where the "subservient computer" is the second computer with the device, the second computer, or the device) for controlling said second computer and/or device

and/or both, wherein said controlling data is derived from a common number of timer signals counted by the respective accumulating means of each of the computers (authentication data based on an elapsed time measurement, corresponding to a given time point, indicated by a unique time generating device). However, the '625 patent claims do not specifically recite "transmission means". Ishiguro et al. teach a method and apparatus for settling financial accounts via IC cards. The Ishiguro et al. system comprises a management center computer (master computer), an IC card terminal/dispensing computer (second or subservient computer) and an IC card (second or subservient computer) (figures 1-5, 6-10, and 12-17; column/line 11/63-12/7), wherein each computer comprises a transmission means (figures 1-5, 6-10, and 12-17; column/line 5/40-6/13; column 26, lines 57-67; column 27, lines 18-23 and 37-41; column 28, lines 12-15 and 35-41) that allows for the communication of authentication data between the computers. For example, Ishiguro et al. teach a management center computer (master computer) that generates a time stamp for authenticating a transaction between the IC card and the IC card terminal (figures 5 and 10; column 5, lines 15-20; column 7, lines 60-64; column 15, lines 9-25; column/line 19/29-20/29).

Ishiguro et al. also teach a master computer with register means for receiving and registering an issuance history of unique authentication data created and issued by and subservient computer. The Examiner would like to point out that here the term "register" means store and the term "issue" is equivalent to send. Specifically, Ishiguro et al. teach a management center computer (master computer) that generates

authentication data that is to be stored in subservient computers IC card terminal/dispenser (column/line 11/63-12/7) and IC card (Note: an IC card is also a computer as it comprises a CPU and memory- column 6, lines 7-13). The management center computer sends to the terminal/dispenser (in both single and separate embodiments) the following authentication data: master public key, master digital signature, terminal secret keys, terminal public key, terminal ID, card secret keys, card public key, and card ID (figures 4A and B; column 6, lines 13-30; column/line 6/58-7/10). The dispenser or terminal/dispenser then provides the IC card with the master public key, master digital signature, card secret keys, card public key and card ID (column 7, lines 10-15). The IC card maintains a history of its use. The IC card stores usage information such as a value or amount, a master digital signature of the value and the card ID, card dispenser (or dispenser/terminal or terminal) identifier (column/line 7/60-8/23; column/line 8/64-9/5). After the completion of a "service" from a terminal (column 8, lines 52-64) the card receives from the terminal and stores the terminal key, terminal ID, master digital signature of terminal key and terminal ID, and a digital signature of the new value and card identifier (column/line 8/52-9/5). The card terminal/dispenser also stores card usage information. More specifically, the card terminal uploads usage information to the management center computer (column/line 13/47-14/25). Therefore, the authentication data that is returned to the management center computer (master computer) comprises authentication data originally sent by the management center computer (e.g. identifiers, signatures, keys) and "additional data" (e.g. value, digital

signatures of the value and ID). Hence, Ishiguro et al. also teach the Applicant's "register means for" limitation. For additional security, Ishiguro et al. further utilize time stamps which are recorded as card usage information by the IC card and the terminal, and is used for transaction and computer authentication (column 16, lines 15-30; column 19, lines 29-37).

Therefore, it would have been obvious to one of ordinary skill to incorporate the transmission means and registering means of Ishiguro et al. into the '625 patent in order to more reliably control the device connected to a subservient or second computer ('625, claim 7) by allowing the master computer (i.e. management center computer) to detect and disable a fraudulent device ('765, column 14, lines 3-15).

(5) Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

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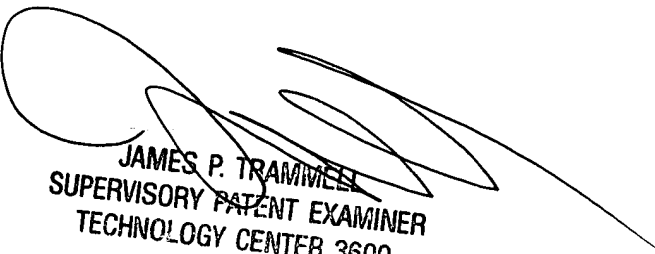
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Any inquiry of a general nature or relating to the status of this application
should be directed to the Group receptionist whose telephone number is (703)
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Calvin Loyd Hewitt II

April 8, 2004



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